

Senate Study Bill 3171 - Introduced

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
APPROPRIATIONS BILL BY
CHAIRPERSON DVORSKY)

A BILL FOR

1 An Act relating to public funding and regulatory matters by
2 making and revising appropriations made for purposes of
3 health and human services and providing effective dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2008 Iowa Acts, chapter 1188, section 16, as
2 amended by 2009 Iowa Acts, chapter 182, section 84, is amended
3 to read as follows:

4 SEC. 16. MEDICAL ASSISTANCE, HAWK-I, AND HAWK-I EXPANSION
5 PROGRAMS — COVERING CHILDREN — APPROPRIATION. There
6 is appropriated from the general fund of the state to the
7 department of human services for the designated fiscal years,
8 the following amounts, or so much thereof as is necessary, for
9 the purpose designated:

10 To cover children as provided in this Act under the medical	
11 assistance, hawk-i, and hawk-i expansion programs and outreach	
12 under the current structure of the programs:	
13 FY 2008-2009.....	\$ 4,800,000
14 FY 2009-2010.....	\$ 4,207,001
15	<u>10,049,532</u>
16 FY 2010-2011.....	\$ 24,800,000

17 The amendment to the amount of the appropriation made in this
18 section for FY 2009-2010 incorporates the amount of the uniform
19 reduction made pursuant to executive order number 19 issued
20 October 8, 2009. Of the funds appropriated for FY 2009-2010,
21 \$510,249 is allocated for the supplemental dental services
22 under the hawk-i program.

23 Sec. 2. 2009 Iowa Acts, chapter 182, is amended by adding
24 the following new section:

25 NEW SECTION. SEC. 5A. EMERGENCY CONTINGENCY FUND FOR
26 TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

27 1. There is appropriated from the federal recovery and
28 reinvestment fund created in section 8.41A to the department
29 of human services for the fiscal year beginning July 1, 2009,
30 and ending June 30, 2010, an amount sufficient to fully fund
31 the family investment program under chapter 239B for the fiscal
32 year.

33 2. The appropriation made in this section is from federal
34 funding available from the emergency contingency fund
35 for temporary assistance for needy families state program

1 established pursuant to the federal American Recovery and
 2 Reinvestment Act of 2009, Pub. L. No. 111-5, § 2101. The
 3 funding shall be expended only after the funding appropriated
 4 for the family investment program in sections 5, 6, and 7
 5 of this Act have been exhausted. The appropriation shall be
 6 expended in accordance with the federal law making the funding
 7 available and chapter 239B, notwithstanding section 8.41, 2009
 8 Iowa Acts, chapter 183, section 58, or any other provision to
 9 the contrary.

10 3. The department shall report quarterly to the legislative
 11 services agency and the department of management concerning the
 12 expenditure of the funding appropriated in this section during
 13 the previous quarter.

14 Sec. 3. 2009 Iowa Acts, chapter 182, section 9, unnumbered
 15 paragraph 2, as amended by 2009 Iowa Acts, chapter 179, section
 16 84, is amended to read as follows:

17 For medical assistance reimbursement and associated costs
 18 as specifically provided in the reimbursement methodologies
 19 in effect on June 30, 2009, except as otherwise expressly
 20 authorized by law, including reimbursement for abortion
 21 services which shall be available under the medical assistance
 22 program only for those abortions which are medically necessary:
 23 \$681,949,840
 24 590,459,096

25 The amendment to the amount of the appropriation made in this
 26 section incorporates the amounts of the uniform reduction made
 27 pursuant to executive order number 19 issued October 8, 2009,
 28 and the transfers made to and from this appropriation pursuant
 29 to the authority in section 8.39 and addressed in the notice of
 30 appropriation transfer from the department of management dated
 31 December 11, 2009.

32 Sec. 4. 2009 Iowa Acts, chapter 182, section 9, subsection
 33 11, is amended to read as follows:

34 11. Of the funds appropriated to the medical assistance
 35 program in this section 2009 Iowa Acts, chapter 183, section

1 61, subsection 8, paragraph "a", the following amounts shall be
2 transferred to appropriations made in this division of this Act
3 to the state mental health institutes:

4	a. Cherokee mental health institute.....	\$ 9,098,425
5	b. Clarinda mental health institute.....	\$ 1,977,305
6	c. Independence mental health institute.....	\$ 9,045,894
7	d. Mount Pleasant mental health institute.....	\$ 5,752,587

8 Sec. 5. 2009 Iowa Acts, chapter 182, section 9, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 23. Of the funds appropriated in this
11 section, \$6,000,000 is allocated for rebasing of nursing
12 facility reimbursement and \$237,173 for interpreter services
13 associated with 2009 Iowa Acts, chapter 118, section 29.

14 Sec. 6. 2009 Iowa Acts, chapter 182, section 16, subsection
15 1, unnumbered paragraph 2, is amended to read as follows:

16 For child and family services:

17	\$ 90,591,451
18		<u>84,023,306</u>

19 The amendment to the amount of the appropriation made in
20 this section incorporates the amounts of the uniform reduction
21 made pursuant to executive order number 19 issued October 8,
22 2009, and the transfer made to this appropriation pursuant to
23 the authority in section 8.39 and addressed in the notice of
24 appropriation transfer from the department of management dated
25 December 11, 2009.

26 Sec. 7. 2009 Iowa Acts, chapter 182, section 16, subsection
27 7, is amended to read as follows:

28 7. Notwithstanding section 234.35 or any other provision of
29 law to the contrary, state funding for shelter care shall be
30 limited to ~~\$7,686,460~~ \$8,186,460. The department may continue
31 or amend shelter care provider contracts to include the child
32 welfare emergency services for children who might otherwise be
33 served in shelter care that were implemented pursuant to 2008
34 Iowa Acts, chapter 1187, section 16, subsection 7.

35 Sec. 8. 2009 Iowa Acts, chapter 182, section 24, subsection

1 1, unnumbered paragraph 2, is amended to read as follows:

2 For distribution to counties for state case services
3 for persons with mental illness, mental retardation, and
4 developmental disabilities in accordance with section 331.440:
5 \$ ~~11,446,288~~
6 10,008,418

7 The amendment to the amount of the appropriation made in this
8 section incorporates the amount of the uniform reduction made
9 pursuant to executive order number 19 issued October 8, 2009.

10 Sec. 9. 2009 Iowa Acts, chapter 182, section 27, unnumbered
11 paragraph 2, is amended to read as follows:

12 For field operations, including salaries, support,
13 maintenance, and miscellaneous purposes, and for not more than
14 the following full-time equivalent positions:
15 \$ ~~63,032,831~~
16 57,410,144
17 FTEs 2,000.13

18 The amendment to the amount of the appropriation made in
19 this section incorporates the amounts of the uniform reduction
20 made pursuant to executive order number 19 issued October 8,
21 2009, and the transfer made from this appropriation pursuant to
22 the authority in section 8.39 and addressed in the notice of
23 appropriation transfer from the department of management dated
24 December 23, 2009.

25 Sec. 10. 2009 Iowa Acts, chapter 182, section 48, is amended
26 by adding the following new subsection:

27 NEW SUBSECTION. 4. There is appropriated from the IowaCare
28 account created in section 249J.24 to the department of human
29 services for the fiscal year beginning July 1, 2009, and ending
30 June 30, 2010, the following amount, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 For distribution to a publicly owned acute care teaching
33 hospital located in a county with a population over 350,000:
34 \$ 2,500,000

35 Sec. 11. 2009 Iowa Acts, chapter 183, section 61, subsection

1 8, is amended to read as follows:

2 8. From funding designated for government stabilization,
3 for the department of human services:

4 a. For the medical assistance program:

5 \$ 6,237,173
6 25,874,211

7 ~~Of the funds appropriated in this lettered paragraph,~~
8 ~~\$6,000,000 is allocated for rebasing of nursing facility~~
9 ~~reimbursement and \$237,173 for interpreter services associated~~
10 ~~with 2009 Iowa Acts, Senate File 389, if enacted.~~

11 b. For coverage of children under the medical assistance
12 and hawk-i programs and for additional coverage provisions for
13 children under 2009 Iowa Acts, Senate File 389, if enacted:

14 \$ 6,263,231
15 0

16 ~~Of the funds appropriated in this lettered paragraph,~~
17 ~~\$510,249 is allocated for supplemental dental services under~~
18 ~~the hawk-i program.~~

19 c. For transfer to the department of public health to be
20 used for 0.25 full-time equivalent position and other costs
21 associated with the volunteer health care provider program:

22 \$ 20,000

23 d. For the property tax relief fund in lieu of an equal
24 amount of the appropriation made from the general fund of the
25 state in section 426B.1, subsection 2:

26 \$ 10,480,000
27 0

28 Notwithstanding section 426B.1, subsection 2, for the fiscal
29 year beginning July 1, 2009, the amount of the appropriation
30 made from the general fund of the state in section 426B.1,
31 subsection 2, shall be reduced by ~~\$2,964,543~~ \$3,328,089 and the
32 appropriation made from the property tax relief fund and for
33 the fiscal year to supplement the medical assistance program
34 in section 426B.1, subsection 3, shall be reduced by the same
35 amount.

1 e. For the risk pool created in the property tax relief fund
2 in accordance with section 426B.5:

3 \$ 10,000,000

4 f. For a demonstration project providing health care
5 coverage premium assistance for direct care workers to
6 implement recommendations developed pursuant to 2008 Iowa Acts,
7 chapter 1188, section 72:

8 \$ 400,000

9 g. For the department's field operations, if 2009 Iowa Acts,
10 ~~Senate File 389~~, chapter 118, is enacted:

11 \$ 680,596

12 0

13 The funds appropriated in this lettered paragraph shall be
14 used for 17.00 additional full-time equivalent positions for
15 implementation costs associated with 2009 Iowa Acts, ~~Senate~~
16 ~~File 389~~, if enacted chapter 118.

17 h. For child and family services:

18 \$ 2,500,000

19 0

20 ~~Of the amount appropriated in this lettered paragraph,~~
21 ~~\$500,000 shall be used for additional funding of shelter care.~~

22 i. For distribution to counties for state case services
23 for persons with mental illness, mental retardation, and
24 developmental disabilities in accordance with section 331.440,
25 to supplement the amount appropriated in 2009 Iowa Acts,
26 chapter 182, section 24:

27 \$ 286,789

28 Sec. 12. RISK POOL — STATE CASE SERVICES. Moneys in the
29 risk pool created in section 426B.5 that remain unencumbered
30 or unobligated on the effective date of this division of this
31 Act shall be transferred to the appropriation made in 2009 Iowa
32 Acts, chapter 182, section 24, to be used by the department
33 of human services for distribution to counties for state case
34 services for persons with mental illness, mental retardation,
35 and developmental disabilities for the fiscal year beginning

1 July 1, 2009, and ending June 30, 2010.

2 Sec. 13. EFFECTIVE UPON ENACTMENT. This Act, being deemed
3 of immediate importance, takes effect upon enactment.

4 EXPLANATION

5 This bill relates to public funding and regulatory matters
6 and makes and revises appropriations made for health and
7 human services for the fiscal year beginning July 1, 2009, by
8 switching the funding sources for various appropriations, as
9 adjusted for the governor's uniform reduction in appropriations
10 made in executive order number 19.

11 The FY 2009-2010 appropriation in a multiyear appropriation
12 from the general fund made in 2008 Iowa Acts, chapter 1188,
13 for health coverage for children under the medical assistance
14 (Medicaid), hawk-i, and hawk-i expansion programs is increased.
15 The bill states that the changed amount incorporates the
16 uniform reduction made by the governor in executive order
17 number 19 and includes an allocation for supplemental dental
18 services under the hawk-i program.

19 A new Iowa Acts section of 2009 Iowa Acts, chapter 182,
20 providing appropriation for health and human services,
21 appropriates certain emergency contingent federal funding to
22 the department of human services for the family investment
23 program for FY 2009-2010. The source of the federal funding is
24 from the emergency contingency fund for temporary assistance
25 for needy families state program established pursuant to the
26 federal American Recovery and Reinvestment Act (ARRA) of 2009,
27 Pub. L. No. 111-5, § 2101. The appropriation is only to be
28 expended in the event that other state and federal funding
29 appropriated in the Act being amended for purposes of the
30 family investment program has been exhausted and is limited to
31 the amount necessary to fully fund the program for the fiscal
32 year.

33 The appropriation from the general fund for the Medicaid
34 program is reduced. The bill states that the changed amount
35 incorporates the uniform reduction made by the governor in

1 executive order number 19 and transfers made to and from this
2 appropriation. The language providing for transfer of Medicaid
3 funding to the state mental health institutes is amended to
4 clarify that the appropriation made from the ARRA funding for
5 the Medicaid program, as increased by the bill, is the funding
6 source for the transferred funding.

7 The appropriation from the general fund for child and
8 family services is reduced. The bill states that the changed
9 amount incorporates the uniform reduction made by the governor
10 in executive order number 19 and the transfer from this
11 appropriation. The allocation made for shelter care services
12 is increased to reflect the shift in the allocation of ARRA
13 funding.

14 The appropriation from the general fund for state case
15 services for persons with mental illness, mental retardation,
16 and developmental disabilities is reduced. The bill states
17 that the changed amount incorporates the uniform reduction made
18 by the governor in executive order number 19.

19 The appropriation from the general fund for the field
20 operations of the department of human services is reduced. The
21 bill states that the changed amount incorporates the uniform
22 reduction made by the governor in executive order number 19 and
23 the transfer from this appropriation.

24 The section of 2009 Iowa Acts, chapter 182, making
25 appropriations from the IowaCare account, is amended to provide
26 an additional appropriation of \$2.5 million for distribution to
27 a publicly owned hospital in a county with a population over
28 350,000 for treatment of indigent patients and other services.

29 Various appropriations in 2009 Iowa Acts, chapter 183,
30 section 61, of ARRA funding for the department of human
31 services are amended. The appropriation for the Medicaid
32 program is increased and the appropriations for coverage of
33 children under the Medicaid and hawk-i programs, for the
34 property tax relief fund, and for child and family services are
35 eliminated. The ARRA appropriations that were eliminated are

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1 replaced, as adjusted for the governor's uniform appropriations
2 reduction, earlier in the bill with appropriations from the
3 general fund of the state.

4 An additional appropriation is made from ARRA funds to the
5 department of human services and any moneys remaining in the
6 risk pool on the division's effective date are transferred to
7 be used for state case services.

8 The bill takes effect upon enactment.